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9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 JORGE ROSALES,

12 Plaintiff,

13 vs.

14 BELLAGIO, LLC, a Nevada corporation;
ROE Business Organizations I-X; and DOE
15 INDIVIDUALS I-X, inclusive,

16 Defendants.

Case No. 2:17-cv-03117-JCM-GWF

**STIPULATION AND ORDER TO
EXTEND DISCOVERY PLAN AND
SCHEDULING ORDER (First Request)**

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18 Pursuant to LR 26-4, all parties hereby stipulate to extend the discovery plan and scheduling
19 order deadlines in this action. This is the first request for an extension to the discovery plan and
20 scheduling order in this matter.

21 **REASONS FOR REQUESTING EXTENSION**

22 On June 26, 2018, Plaintiff noticed five depositions of Defendant's current and former
23 employees to be taken on July 17, 18, and 19, 2018. The discovery cutoff in this case is currently
24 set for July 24, 2018. While Defendant is attempting to contact these witnesses to determine
25 whether they are available for deposition on the dates noticed, there is a likelihood that one or more
26 of the five witnesses will not be available on the date noticed for his or her deposition. Additionally,
27 on June 29, 2018, Defendant issued seven subpoenas for Plaintiff's medical records. Plaintiff
28 objected to the subpoenas and, after meeting and conferring, the parties reached an agreement

whereby the documents requested can be produced as delineated in the subpoenas, but the documents are to be remained sealed for a simultaneous review. Documents outside the relevant time period and those not relevant to any claim or defense in this matter are to be removed. Moreover, documents upon which the parties cannot agree are to be removed so Plaintiff can seek the appropriate protective order(s).

Accordingly, the parties request a 30-day extension to the discovery period to ensure that these witnesses will be available for deposition prior to the discovery cutoff.

1. DISCOVERY COMPLETED TO DATE:

Plaintiff:

Initial disclosures to Defendant	February 12, 2018
First supplemental disclosures to Defendant	February 27, 2018
First set of written discovery to Defendant	March 21, 2018
Responses to Defendant's written discovery	May 10, 2018
Second supplemental disclosures to Defendant	May 29, 2019

Defendant:

Initial disclosures to Plaintiff	February 8, 2018
First set of written discovery to Plaintiff	April 10, 2018
First supplemental disclosures to Plaintiff	April 23, 2018
Responses to Plaintiff's written discovery	April 23, 2018
Defendant's deposition of Plaintiff	June 20, 2018
Subpoenas to Plaintiff's medical providers	June 29, 2018

2. DISCOVERY YET TO BE COMPLETED:

Plaintiff seeks to depose five current and former employees of Defendant. The parties are currently working to schedule these depositions.

1 **3. PROPOSED REVISED DISCOVERY PLAN:**

2 **A. Summary of Proposed Changes**

	Current Deadline	Revised Deadline
Close of Discovery	July 24, 2018	August 23, 2018
Dispositive Motions	August 23, 2018	September 21, 2018
Pretrial Order	September 24, 2018	October 24, 2018

7 **B. Discovery Cut-Off Date: July 24, 2018.**

8 **C. Dispositive Motions:** Dispositive motions may be filed no later than **August 23,**
 9 **2018**, which is not later than thirty (30) days from the discovery cut-off date. In the event that the
 10 discovery period is extended from the discovery cut-off date set forth in this Stipulation and Order
 11 to Extend Discovery Deadlines and Scheduling Order (First Request), the date for filing dispositive
 12 motions shall be extended for the same duration, to be no later than thirty (30) days from the
 13 subsequent discovery cut-off date.

14 **D. Pretrial Order:** The pretrial order shall be filed by **October 23, 2018**, which is not
 15 later than thirty (30) days after the date set for filing dispositive motions. In the event dispositive
 16 motions are filed, the date for filing the joint pretrial order shall be suspended until thirty (30) days
 17 after the decision of the dispositive motions or until further order of the Court.

18 **E. Additional Extensions of the Discovery Plan and Scheduling Order:** The last
 19 day for the parties to file their Motion and/or Stipulation to Extend a deadline subject to this
 20 Stipulation and Order to Extend Discovery Deadlines and Scheduling Order shall be at least twenty-
 21 one (21) days before the expiration of the deadline, and comply fully with LR 26-4.

